

SAN PASQUAL UNION SCHOOL DISTRICT

**RESOLUTION REGARDING AUTHORIZATION OF THE SUPERINTENDENT
AND/OR DESIGNEE TO TAKE ANY AND ALL ACTIONS TO ENSURE THE HEALTH
AND SAFETY OF THE STUDENTS AND STAFF**

RESOLUTION NUMBER R19-20-11

WHEREAS, on March 4, 2020, the Governor of California declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and

WHEREAS, as of March 9, 2020, San Diego County public health officials announced its first presumptive positive case of COVID-19, and officials expect the number of cases to increase; and

WHEREAS, on March 11, 2020 the World Health Organization (WHO) declared a global pandemic.

WHEREAS, strict compliance with various statutes and regulations could prevent, hinder or delay appropriate actions on the part of the District to prevent and mitigate the effects of COVID-19; and

WHEREAS, it is imperative for the District to prepare for and implement measures to respond to the potential spread of COVID-19; and

WHEREAS, it is imperative that the Superintendent have the tools to ensure the health and safety of students, staff, and families on our campuses and to ensure student learning continues if student education needs to be conducted from alternate locations or virtual learning environments; and

WHEREAS, it is imperative that District employees be allowed to take a leave of absence due to being quarantined or staying home after recently returning from Level 3 countries or sick from Coronavirus or illnesses with similar symptoms (e.g., cough, fever, shortness of breath) without suffering pay loss; and

WHEREAS, the protection of the health and safety and preservation of the lives and property of the people of the State from the effects of natural emergencies such as COVID-19 which may result in conditions of disaster or in extreme peril to life, property, and resources is of paramount State importance requiring the responsible efforts of public and private agencies and individual citizens, and all public employees required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law under Government Code 3100; and

WHEREAS, Section 1102 of the Public Contract Code defines "emergency" to mean a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services," and section 2U160.3 of the Public Resources Code and California Environmental Quality Act Guidelines 14 CCR section 15269(c) defines "emergency" to mean "a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services.

WHEREAS, under California Public Contract Code Section 20113, in an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do the following: make a contract in writing or otherwise on behalf the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bid; and, notwithstanding section 20114; and

NOW, THEREFORE BE IT RESOLVED, the Board of Education hereby affirms its commitment of the San Pasqual Unified School District:

1. Determines that the circumstances described in the Resolution herein constitute an emergency condition; for purposes of, but not limited, to Section 20113 of the Public Contract Code; and
2. Authorize the Superintendent and/or his designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff, including, but not limited to: the closing of school, the relocation of students and staff, continued daily student transportation, provision of alternative educational program options, provision of leave of absence to employees with pay due to quarantine or recently returning from level 3 countries or sick from COVID-19 or illnesses with similar symptoms (cough, fever, shortness of breath) or co-habitants of any individuals without any impact to their benefit time pursuant to Education Code sections 44964 and 45199, directing staff to serve as disaster service workers pursuant to Government Code 3100, and/or make alterations, repairs or improvements to school property.

NOW, THEREFORE, BE IT RESOLVED, by the San Pasqual Union School District Board of Trustees as follows:

IN WITNESS OF the adoption of the foregoing Resolution, we, the members present and voting thereon, have hereunto set our hands this 13th day of March 2020, at a meeting duly held at Escondido, San Diego County, California.

BOARD OF TRUSTEES OF THE
SAN PASQUAL UNION SCHOOL DISTRICT

Approval

Dissenting

Abstaining

Absent

I, Mark Burroughs, Superintendent and Secretary to the Board of Trustees of the San Pasqual Union School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted by said Board at a duly scheduled meeting thereof.

Date: _____

Mark Burroughs
Superintendent/Secretary to the Board of
Trustees of San Pasqual Union School District